IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

**CIVIL APPLICATION NO.1860 OF 2004**
IN
FIRST APPEAL NO.1276 OF 1988

Bachubhai Harjivandas Chauhan ... Applicant

V/s.

Shri A.S. Ghate & Anr. ... Respondents

Ms.N.S. Thatte for Applicant
Ms.K.V. Velankar for Respondents

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **OCTOBER 8, 2004**

**P.C.:**

. This Civil Application has been filed to bring the heirs of Respondent No.2 on record as he has expired during the pendency of the appeal on 15.6.2001. There is delay in filing the present Civil Application. However, it appears that the appellant has been informed of the death of Respondent No.2 only recently and a short while before the Civil Application was taken out.

2. In view of this, delay condoned. Civil Application is allowed in terms of prayer clauses (a) and (b). Amendments to be carried out within a week from today.

3. Appellant to serve the added respondents by 27.10.2004 and file an affidavit of service to that effect with acknowledgement.

4. First Appeal to come up on Board on 28.10.2004.